

REMARKS

This is in response to the Office action dated April 15, 2005, in which claims 4-6 and 8-10 were indicated as allowable, pending a rewrite to overcome objections; and in which claims 1-3, 7 and 11-14 were rejected. The applicant is appreciative of the indication of allowed subject matter. The applicant has canceled claims 1 and 14, amended claims 2, 3, 4, 8, and 11-13, and added claim 15. The applicant requests that the remaining claims 2-13 and 15 be reconsidered and allowed in light of the amendments and remarks herein.

Formalities

The specification has been amended following the Office's guidance. Figure 1 has also been amended with a replacement sheet to correct the erroneous lead line for reference character 30. The applicant believes these changes resolve the objections to the disclosure and the figures, and requests that the Office find likewise. The specification has also been amended to address formal matters of grammar and consistency, and figure 2 has been amended with a replacement sheet for consistency with the amended specification. These amendments are directed to formalities alone and do not include new matter.

Claims 3-10 Are Believed To Comply With Indicated Allowability

Claims 4 and 8 have each been amended to incorporate, with a further minor amendment, the limitations of the claims on which they were dependent, i.e. claims 1 and 2 in both cases. It is noted that the applicant has revised certain wording referring in claim 2 to a jump ring to refer to a portion, and has deleted the word "all" as it was used in claim 2, wherein "all" is not believed necessary for patentability, in incorporating the elements of claim 2 into claims 4 and 8. The applicant believes

the amendments to claims 4 and 8 resolve the objections thereto and place claims 4 and 8 in condition for allowance. Claims 5 and 6 are dependent on claim 4, and claims 9 and 10 are dependent on claim 8. The applicant believes claims 5, 6, 9 and 10 are separately patentable, and that claims 4-6 and 8-10 are therefore in condition for allowance. The applicant requests that the Office find likewise.

Claim 3 has been amended to depend on claim 4 as indicated to be allowable. Claim 7 depends on claim 3. The applicant believes Claims 3 and 7 are separately patentable, and requests that the Office find likewise.

Claims 12 and 13 Are Believed To Be Allowable

Claim 12 has been amended to incorporate the underlying limitations of claim 11, and claim 13 has been amended to depend on claim 12. Claims 12 and 13 were rejected under §103 due to U.S. patent no. 3,443,398 issued to King Jr., combined with U.S. patent no. 6,508,081 issued to Simpson. However, the applicant respectfully maintains that this rejection was based on an overbroad characterization of the disclosure of these references, and requests that the Office reevaluate this rejection accordingly.

Specifically, claim 12 was allegedly rendered obvious with reference to figures 1 and 2 of King Jr., such that "wherein the intermediary connecting member (27) has a notch (26) formed therein at points where the intermediary connecting member engages the support wire". However, King Jr. does not disclose or suggest the elements of claim 12, including a notch formed therein at points where the intermediary connecting member engages the support wire. On the contrary, the indicated elements 26 and 27 in figures 1 and 2 in King Jr. depict a very plain "earring adapter" and "central passage", with no other apparent feature. On the other hand, claim 12 is directed to an inventive

jewelry design that includes, in part, wherein the intermediary connecting member has a notch formed therein at points where the intermediary connecting member engages the support wire, which is quite different from what is disclosed or suggested by King Jr. and Simpson. Claim 13 is also believed to be separately allowable in addition to its dependence on claim 12. The applicant therefore believes claims 12 and 13 define patentable subject matter, and respectfully requests that the Office find likewise and allow claims 12 and 13.

Claims 2, 11 and 15 Are Believed To Be Allowable

Claims 2 and 11 were rejected under §103 due to King Jr. combined with Simpson. However, the applicant believes that King Jr. and Simpson would not have rendered obvious claims 2 and 11 to a person of ordinary skill in the art at the time the invention was made. For example, claim 2 defines a jewelry design wherein the intermediary connecting member includes a center aperture of size to allow the post and a portion of the basket to extend therethrough, among the other elements defined in the claim. Even if the component of King, Jr. characterized as an intermediate connecting member (element 27), were combined with the component of Simpson characterized as wires forming the conical basket (element 9), the first component would not removably engage the wires of the second component. Neither King Jr. nor Simpson is believed to teach or suggest an intermediary connecting member of the type recited in claim 2. This is one illustrative example of an element not disclosed or suggested by the references, and indicating that the references do not support a showing of obviousness. Therefore, due at least to this one example of the non-obviousness of claim 2, the applicant believes allowance of claim 2 is appropriate, and respectfully requests that the Office find likewise.

New claim 15 is dependent on claim 2, and is believed to be separately allowable. Claim 15 defines further elements believed to be novel and non-obvious. Specifically, the references do not disclose or render obvious an invention wherein the intermediary connecting member engages the wires such as to inhibit rotation of the conical basket. For this reason as well, the applicant believes claim 15 is allowable, and requests that the Office find likewise.

As to claim 11, neither King Jr. nor Simpson is believed to disclose an element defining a removable intermediary connecting member which removably, conformingly engages an exterior surface of the support wire. Therefore, due at least to this one illustrative example of an element not disclosed or suggested by the references, the applicant believes claim 11 is not rendered obvious and allowance thereof is appropriate, and respectfully requests that the Office find likewise.

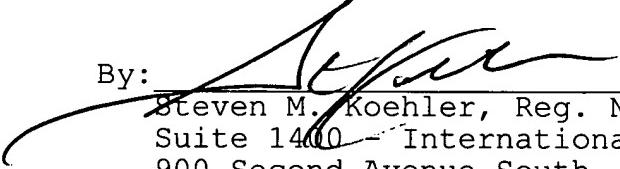
With this Amendment, the applicant has also added independent claim 16, which claims a jewelry design comprising a dangling element and intermediary connecting member. For the reasons discussed above with respect to claim 2, it is believed this claim is also allowable. Claims 17-19 recite further features of the jewelry design of claim 16 and are believed separately patentable.

In view of the foregoing, the applicant therefore respectfully requests reconsideration of the application as amended. Allowance of claims 2-13 and 15-19 is solicited.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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